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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8704

UNITED STATES OF AMERICA,

Plaintiff,

v.

Adalberto DOMINGUEZ-Cordova

Defendant.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960

Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about August 7, 2008, within the Southern District of California, Adalberto DOMINGUEZ-Cordova did knowingly and intentionally import approximately 20.70 kilograms (45.54 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO, BEFORE ME, AND SUBSCRIBED IN MY PRESENCE THIS 8th
DAY OF August, 2008.


PETER C. LEWIS
U.S. MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Adalberto DOMINGUEZ-Rodriguez

4 STATEMENT OF FACTS

5 This complaint is based upon the personal observations, investigation and
6 information provided to U. S. Immigration and Customs Enforcement Special Agent
7 Douglas Struckmeyer.

8 On August 7, 2008, Adalberto DOMINGUEZ-Rodriguez entered the United
9 States at the Calexico, California, West Port of Entry. DOMINGUEZ was the driver and
10 sole occupant of a 2002 Toyota 4-Runner registered in his name.

12 Customs and Border Protection Officer (CBPO) M. Huerta was assigned to
13 Primary Inspection Lane #1. DOMINGUEZ, being the next person in that lane, was not
14 pulling up to the inspection booth after the previous vehicle had pulled away.
15 DOMINGUEZ was ignoring honks from a passenger bus behind him and remained in
16 his location, until CBPO Huerta left his inspection booth and attracted DOMINGUEZ's
17 attention.
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19 Upon primary inspection, DOMINGUEZ gave a negative Customs declaration.
20 He stated that he was entering the United States in order to purchase auto parts from
21 the Toyota dealership in El Centro, California. CBPO Huerta conducted a cursory
22 search of the vehicle and referred DOMINGUEZ and the vehicle to the secondary
23 inspection area for further inspection.
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25 CBPO I. Mercado encountered DOMINGUEZ in the vehicle secondary office.
26 CBPO Mercado received a negative Customs declaration from DOMINGUEZ. Prior to
27 this time, Canine Enforcement Officer (CEO) J. Jones had conducted a sweep of the
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1 vehicle with his Narcotic Detector Dog (NDD). CEO Jones' NDD alerted to the rear
2 floor of the vehicle, indicating the presence of the odor of a controlled substance in that
3 area.

4 Further inspection revealed a non-factory compartment in the rear floor of the
5 vehicle. Concealed within the compartment were 18 packages. The combined weight
6 of the packages was approximately 20.70 Kilograms (45.54 pounds). A sample taken
7 from one of the packages field tested positive for cocaine.

8
9 Special Agents (SA) D. Struckmeyer and F. Casteneda interviewed
10 DOMINGUEZ. SA Struckmeyer provided DOMINGUEZ with his Constitutional rights
11 per Miranda, as witnessed by SA Casteneda. DOMINGUEZ orally waived his rights,
12 agreeing to make a statement.

13
14 DOMINGUEZ stated that he was hired to smuggle the cocaine into the United
15 States by a man known to him only as 'WHITE'. He said that he was going to be paid
16 \$3,000 to smuggle the cocaine. He said that he knew the vehicle contained cocaine
17 because the organization only smuggles cocaine, and also because he was present
18 when it was loaded into the vehicle.

19
20 DOMINGUEZ said that he was not sure where he was supposed take the
21 cocaine. Somebody was going to call him and let him know where to go after he made
22 it either through the Border Patrol Checkpoint in San Clemente, California or Temecula,
23 California.
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